

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,)	
)	DEFENDANT ANTON JOSEPH
Plaintiff,)	LAZZARO’S MOTION FOR AN
)	EXTENSION OF THE TIME FOR FILING
vs.)	THE NOTICE OF APPEAL
)	
Anton Joseph Lazzaro,)	Crim. No. 21-173 (PJS/DTS)
)	
Defendant.)	

Defendant Anton Joseph Lazzaro, through his counsel, Daniel L. Gerdt, Esq., respectfully moves the Court, pursuant to Federal Rule of Appellate Procedure 4(b)(4), for a 30-day extension of the time for filing a notice of appeal. The Court entered judgment in this case on 9 August 2023, causing the presumptive deadline for the filing of a notice of appeal to be 23 August 2023. The Court, however, has yet to make final rulings regarding an outstanding motion to dismiss and restitution. After a finding of good cause, Rule 4 (b)(4) permits the Court to “extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule.”

Based on the continued litigation and pending motion, and the desire to avoid a piecemeal appeal, Defendant asks for the deadline for filing the notice of appeal to be extended by 30 days until 22 September 2023. Defendant also respectfully asks that the Court request the U.S. Marshal to refrain from transporting Defendant to the

Bureau of Prisons until at least after the additional time has run, or the Court has ruled on all outstanding issues.

Dated: 17 August 2023

Respectfully submitted,

DANIEL L. GERDTS, LAWYER

s/ Daniel L. Gerdts

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